Mr. B. RAMACHANDRA REDDI :—" I second it."

Mr. S. SATYAMURTI :—" I beg to propose the addition of Mr. A. Chidambara Nadar to the Select Committee."

Mr. A. RANGANATHA MUDALIYAR :—" I second it."

Mr. P. K. S. A. ARUMUGA NADAR :—" I have no objection."

The House agreed to refer the Bill to the Select Committee.

The hon. the PRESIDENT :—" I nominate the hon. the Minister for Local Self-Government as the Chairman of the Committee."

VI

THE TUTICORIN PORT TRUST ACT (AMENDMENT) BILL.[a]

* Mr. A. CHIDAMBARA NADAR :—" I beg to introduce a Bill to amend the Tuticorin Port Trust Act, 1924, and move that it be read in Council.

" The object of the Bill is to give representation to the Indian Chamber of Commerce at Tuticorin on the Board Trust which was constituted under the Tuticorin Port Trust Act, 1924. The other day when I asked for leave to introduce the Bill I explained how the Indian Chamber of Commerce at Tuticorin was carried away by the words ' Tuticorin Chamber of Commerce ' occurring in section 6 of the Act, how the members of the Chamber were under the impression that the words would cover their case also but how when the Government asked the European Chamber of Commerce to elect all the three members they came to know their position, how they petitioned and prayed to the Government that they should have representation also and how the Government replied that the words occurring in the section would refer to only one Chamber and that they have no standing under the Act. In view of the arguments put forward by the hon. the Finance Member then, I think I should give a brief history of the Chamber.

" The Chamber was started in 1913 as an association of traders to look after the interests of Indian trade at Tuticorin. In 1921, Sir P. Tyagaraya Chettiyar visited the place and the association of traders met him, and on his advice, the association was christened with the name of ' The Indian Chamber of Commerce.' So, Sir, the Indian Chamber of Commerce took a new life and a new turn in 1921 when Sir P. T. Chettiyar visited the place. I hope, Sir, every non-Brahman, whether he belongs to this side of the House or the other side, will support this measure ; for however much one may differ in the matter of political opinions and political views from Sir P. T. Chettiyar, one will not be devoid of respect for the grand old man who brought into being the non-Brahman movement. Sir, a chamber started by such a great man should not go unrepresented, nor its representation delayed indefinitely. When I say that, I do not leave out of consideration the other hon. Members of the House. Sir, the question involved in this matter is not a question affecting one community or another, but it is a question affecting Indians as a whole. The Indian Chamber of Commerce, Tuticorin, consists of members belonging to Brahman, non-Brahman, Muhammadan and Christian communities, and so, I hope I shall have the solid support of the whole House with regard to the introduction of this Bill.

[a] Published in Part IV of the *Fort St. George Gazette*, dated 4th November 1924.

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"Again, Sir, it may be said that it was brought to the notice of the House, at the time when the Bill was introduced, that there was no Chamber of Commerce at Tuticorin. But I may assure the House that the Chamber was in existence then. When I look into the reports in connexion with the original Bill, I find Sir Charles Todhunter saying at three places in three different ways about this chamber. In one place, he says 'There is at present no Indian Chamber of Commerce at Tuticorin.' In another place, he says 'Indian business interests have not yet organized themselves into a chamber of commerce'; and in a third place, he says 'I understand that negotiations are in progress for the establishment of an Indian Chamber of Commerce'. It seems to me that Government had some inkling of the existence of this chamber, but they did not want to recognize it. When such is the case, the hon. the Finance Member will go to the extent of saying that the Chamber was first thought of on 6th July 1924. Even assuming for agrument's sake that the Chamber was first thought of on 6th July 1924, I must say that it has achieved much. It has got a reserve fund of Rs. 4,000 deposited in the Imperial Bank and it has got an annual income of Rs. 3,000. Hon Members may have seen the appeal issued by the Indian Chamber of Commerce to every one of them. Again, Sir, the hon. the Finance Member remarked that the Indian Chamber claimed to have 106 members and he very much doubted whether there could be 106 persons to a very large extent interested in trade at Tuticorin. I must say that the Chamber has got 93 members, and I am only sorry that the hon. the Finance Member has got such a poor notion of the trade of Tuticorin. Tuticorin is one of the biggest trade marts in Southern India. There is nothing strange in such a place having as many as 93 or 106 persons to a very large extent interested in trade. I may say, Sir, that even the figure given by the hon. the Finance Member is not up to the mark. Perhaps the hon. the Finance Member has been carried away by the strength of the European Chamber at Tuticorin which consists of 5 or 6 members, most of whom are absentees from the place. Moreover, the hon. the Finance Member stated that he had no information about the status of the Chamber So far as I know, it seems to me that Government made some investigation into the matter and the representative of the Indian Chamber gave all the information required by the Government. So, I must say the bulk of the trade at Tuticorin is in the hands of the Indian merchants and in the interests of the Indian trade it is quite necessary that the Chamber should have representation on the Board. It may be, Sir, that the amendment as it stands may not be quite satisfactory. Perhaps it is necessary that separate representation should be given to the European and the Indian Chamber of Commerce. The matter may be looked into in the select committee stage. Lastly, I must appeal to the House that this is not a party question on which the House may be divided. It is a question affecting the vital interests of Indian trade and as such I hope I shall have the unanimous support of the House."

Mr. C. Ramalinga Reddi :—"I second the motion, Sir."

Mr. C. Gopala Menon :—"Sir, I wish to say a few words on this subject. The hon. Mover pointed out that at the time the Tuticorin Port Trust Act was discussed in the Select Committee it was stated that there was no Indian Chamber of Commerce. In fact, the hon. Mover points out now that this Indian Chamber came into

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existence in 1913. In the Select Committee we had two members from Tuticorin, two hon. Members from this House and one expert member from Tuticorin. None of them told us that there was an Indian Chamber of Commerce at the time. Therefore the Chairman decided that two Indian members may be nominated to the Trust from the members carrying on the sea-borne trade of Tuticorin. That was how the Indian Chamber of Commerce was not included. Now that it has been brought to the notice of this House that a Chamber has been started, or that the old Chamber has been revived, the question for the consideration of the House is whether there is provision on the Board to give adequate representation to this Chamber. The Board, according to the Act, is to consist of not less than nine and not more than thirteen trustees. The number of members on the Board as at present constituted is only eleven, viz., one chairman, one vice-chairman—an Indian and a distinguished Member of this House—three representatives from the European Chamber of Commerce, two members from the Municipal Council, Tuticorin, etc. I was a member of the Select Committee on the Port Trust Bill. I pointed out to the Select Committee that it may not be possible that the two members of the Municipal Council would be merchants interested in the trade of Tuticorin. The Chairman then decided that two members should be nominated from among persons carrying on the export and import trade of Tuticorin. Now, there are four other nominated members which make the number of members on the Board eleven. This House can easily conceive, and the hon. Member in charge of the portfolio can see that the remaining two members may be returned by the Indian Chamber of Commerce. Of course, it should not take effect from this moment, because the whole of the Trust has been constituted already and they should remain in office for the next two years. By that time we shall be able to know how the Indian Chamber of Commerce works and then give them representation. With these few words I support the motion."

The hon. Mr. R. A. GRAHAM :—" Sir, on a former occasion I was unsuccessful in persuading the House that the Bill was unnecessary, unsuitable and premature and the House should not grant leave for its being introduced. On that occasion I had the support of the hon. Members of this House who come from Tinnevelly. I take this opportunity of thanking them for their support and hope that they will continue to give me that support now and also that some of those who on the former occasion voted for permission to introduce the Bill will now understand that it is not yet time to amend an Act passed only an year ago and that the provisions in this particular Bill are unsuitable. I think it will be admitted that if there is any serious defect in the Act which calls for immediate remedy the people on the spot are most likely to know about it and it is not one of them who has brought forward this Bill. I would earnestly deprecate the rushing of legislation which I contend is not justified by any change in the circumstances since the Act was passed and which cannot take into account any experience of the working of the Act.

"The Act was intended to make provision for the conservancy and improvement of the Port of Tuticorin. In view of the large developments intended, it was necessary to give the representatives of the interests concerned much larger powers of taxation and expenditure than they possessed. A large sum of money was required for the development of the port and that

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money had to be raised by borrowing. There was no legally constituted body to which money could be lent and which could command the confidence of the public. For this purpose an Act was passed and the Port Trust Board was constituted.

" The interests concerned are primarily those of the persons and firms engaged in the sea-borne trade of Tuticorin. The Trust's revenue is derived almost entirely from fees collected from passengers, and goods imported or exported, entering or leaving the port by sea and the expenditure is for the purpose of improving the port and giving such facilities and advantages for shipping as will make the port an attractive centre for trade. As has been pointed out by my hon. Friend opposite, proper representation has been given to all the interests concerned. There was in existence a recognized body known as the Tuticorin Chamber of Commerce, but it represents only European interests. I think the hon. Mover is mistaken in saying that the bulk of the trade is in the hands of Indians. My information is that the greater part of the trade is in the hands of the European traders."

Mr C. Ramalinga Reddi :—" What about import trade ? "

The hon. Mr. R. A. Graham :—" I have no detailed information, but I believe, taking the exports and imports together the amount of trade in the hands of the Europeans is considerably larger than that in the hands of the Indians. The details however are immaterial. The fact remains that a very large proportion of the trade is in the hands of the firms composing the Tuticorin Chamber of Commerce, and that they are therefore entitled to a substantial representation of the Trust Board. If there had been a similar organization of Indians there is not the slightest doubt that due representation would have been given to them. But no such body could be found. Enquiries were made at the time when the Port Trust Bill was under preparation and nobody knew the existence of any such body. If I may remind the House the Bill was first introduced by Sir Charles Todhunter in November 1923. Before that he had made enquiries if there was any Indian Chamber of Commerce at Tuticorin. He was unable to find any and the reports from the local officers stated that there was none."

Mr. A. Chidambara Nadar :—" Was there any special enquiry ? "

The hon. Mr. R. A. Graham :—" There was a special enquiry."

Mr. C. Ramalinga Reddi :—" By whom ? "

The hon. Mr. R. A. Graham :—" By the Collector. I understand and Mr. C. Gopala Menon has confirmed the impression—that the question was also raised in the Select Committee. The Committee included all the members from Tinnevelly, but no member of the Select Committee knew of the existence of any Indian Chamber of Commerce there. Again as the hon. Mover has stated, on three separate occasions when the Bill was being discussed by the House, Sir Charles Todhunter pointedly stated that there was no Indian Chamber and on every occasion that statement passed without challenge. I think therefore there was very good reason for supposing that no such chamber existed."

Rai Bahadur Sir K. Venkatareddi Nayudu :—" May I know, Sir, whether the Government have not read anything in the papers saying that

this body of Indian Chamber of Commerce consisting entirely of Indian merchants was opened by no less a personage than the hon. Member Sir Pitty Thyagaraya Chettiyar?"

The hon. Mr. R. A. GRAHAM :—" Sir, I have received a copy of an appeal from certain people in which it was stated that certain events took place in 1921. I am coming to that later on. Now the facts being what they were, it was necessary to devise means to provide for the representation of Indian trade on the Trust Board and the means adopted are to be found in sections 5 and 6 of the Act. Section 5 says:

'The Board shall consist of such number of trustees, not being less than nine or more than thirteen including the Chairman and Vice-Chairman, as the Local Government may notify.'

'Not less than one-third of the number of trustees shall be Indians of whom two shall be persons engaged in sea-borne trade and not more than four shall be Government officials.'

" Section 6 runs:

'The Chairman and Vice-Chairman shall be appointed by the Local Government, provided one of them at least shall be an Indian. Of the remaining trustees, three shall be elected by the members for the time being of the Tuticorin Chamber of Commerce and two by the members for the time being of the Tuticorin Municipal Council at a meeting of the Chamber or Council held in accordance with the rules in force. The remaining trustees shall be appointed by the Local Government with due regard for the provisions contained in sub-section 2 of section 5.'

" Now, Sir, there is no doubt that if there had been an Indian Chamber of Commerce in existence this section would have been quite different.

" The hon. Mover's Bill does not alter section 5. It proposes to alter section 6(1) so as to run:

'The Chairman and Vice-Chairman shall be appointed by the Local Government provided one of them at least shall be an Indian. Of the remaining trustees, three shall be elected by all the members for the time being of any Chamber or Chambers or Commerce at Tuticorin.'

" He tells us that the Tuticorin Chamber of Commerce consists of six or seven people. I do not know the exact number."

Mr. A. CHIDAMBARA NADAR :—" I have seen their report."

The hon. Mr. R. A. GRAHAM :—" I accept the hon. Member's figures as correct. He also told us that the Indian Chamber of Commerce consists of 93 members. The first result of his amendment therefore would be that the Tuticorin Chamber of Commerce would be entirely deprived of representation. It is hardly necessary to say any more to show that the exact provisions in this Amending Bill are unsuitable. The hon. Mover, I gather, however is not insistent on keeping to these exact provisions and he will be satisfied provided that the representation of Indian trade is made by election by the Indian Chamber of Commerce. If there was an active and permanent Indian Chamber of Commerce, this would be perfectly a reasonable request. At the time of the passing of the Act, Sir Charles Todhunter gave an assurance that if an Indian Chamber of Commerce was organized and showed itself to be a really responsible and a representative body, Government themselves would introduce a Bill to amend the Act. I cannot agree however that a body which suddenly sprang into existence last July can within a few months of its birth claim to be a permanent representative of Indian trade or that its formation a few months ago will justify us in hurrying on an amendment of the Act.

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" I now come to the claim that it is not a new body. I have already reminded the Council of the facts which were put forward before this

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Council and the Select Committee when this Act was on the anvil. The contention of the hon. Mover is that this body took shape in the year 1913 and he gave us a history of the Indian Chamber of Commerce. I think it might be amplified to some extent from the appeal to which he referred and copies of which have, I believe, been distributed to all the hon. Members. In that appeal we are told that the merchants of Tuticorin formed themselves into an association in 1913 which worked actively till 1916. We have not been told what it did during that period but anyhow after that, in the words of the appeal 'it passed out of public view.' An attempt was made to resuscitate it in 1921, when the stimulating activity of Sir P. Tiyagaraya Chetti was applied to the purpose. As soon, however, as his presence was withdrawn the stimulus must have ceased to act and the Chamber is represented as having 'devoted itself to silent work.' I do not know whether it has any record of the work done but if it really was engaged on the activities mentioned in the appeal—surveying, collecting commercial information, making representations to the authorities and securing facilities of communication in the matter of trade, etc.—if it had any record of having been engaged on these activities it appears extraordinary that until last July no one knew of its existence. In the absence of any record it seems impossible to admit that the Indian Chamber of Commerce has had any continued existence or has existed for more than seven months. And if I may make a suggestion it would be wiser if the Chamber openly professed to be an entirely new concern. Otherwise its record hardly gives it a claim to be regarded as a live and permanent body, capable of representing Indian trade. I would further advise that the net of membership should not be cast too wide. I do not think I have ever denied that there may be 106 persons in Tuticorin engaged in trade. What I do deny is that there are anything like so many with an appreciable interest in sea-borne trade, and I still have reason to suppose that a considerable number of the persons included in the membership have little or no interest in sea borne trade However, my main contention is that this body has not yet had time to show that it is a permanent and active body even in the three months that have elapsed, since the matter was under discussion before. If the Indian Chamber of Commerce claims to be an active and a representative body, it should take us more into its confidence and let the public know what it is doing and what its deliberations are. I do not go so far as to say that it should publish the minutes of its meetings, but we should know something about it, and I think in particular that it might communicate more freely with the Government and convince the Government that it is a permanent and representative body. Under section 9 of the existing Act the term of the office of the trustees is two years, and it would not be unreasonable to ask that a newly constituted body should work for two years before being given direct representation on the Trust. This body has not yet worked even for one year, but I think I may say that if it works for one year and its work shows that it deserves and receives the confidence of the Indian traders in Tuticorin I am sure that Government will be ready to bring in a Bill of their own. This, as I have already explained, must mean an entire recasting of sections 5 and 6 of the Act.

"I notice that one of the provisions of the hon. Mover's amendment is to give his alterations retrospective effect from the date of the commencement of the original Act. The existing trustees' term of office lasts for two years however and I do not think that the hon. Mover seriously means that we should turn them out. If any amending Bill is to be passed it should take

effect on the expiry of the term of office of the existing trustees and it is possible that by that time we shall be able to see whether there are any other defects in the Act which need amendment. I would therefore appeal to the hon Mover to withdraw his Bill on the assurance that if the Indian Chamber of Commerce shows signs of vitality, the Government themselves will introduce a Bill and thus carry out his intention by about, say, next October or November."

1 p.m.

The motion that leave be granted to introduce a Bill to amend the Tuticorin Port Trust Act, 1924, was put to the House and declared carried. On a poll being demanded by the hon. Mr. R. A. Graham, the House divided thus :—

Ayes.

1. Mr P. K. S. A. Arumuga Nadar.
2. ,, P. N. Marthandam Pillai.
3. Rao Bahadur C. V. S. Narasimha Raju.
4. Mr. C. Ramalinga Reddi.
5. Rao Bahadur A. S. Krishna Rao Pantulu.
6. ,, C. Natesa Mudaliyar.
7. ,, T. A. Ramalinga Chettiyar.
8. Mr. K. Uppi Sahib.
9. ,, P. C. Venkatapadhiraju.
10. Dr. P. Subbarayan.
11. Mr. A. Ranganatha Mudaliyar.
12. ,, S. Satyamurti.
13. ,, T. Adinarayana Chettiyar.
14. ,, P. Anjaneyulu.
15. Sriman Biswanath Das Mahasayo.
16. Mr. A. Chidambara Nadar.
17. ,, M. Gangaraju.
18. ,, C. Gopala Menon.
19. ,, K. Koti Reddi.
20. ,, C. Maruthavanam Pillai.
21. Mr. S. Muttayya Mudaliyar.
22. Rao Sahib U. Rama Rao.
23. Mr. G. Rameswara Rao.
24. Sriman Sasibhushan Rath Mahasayo.
25. Mr. M. Seetayya
26. ,, J. A. Saldanha.
27. ,, R. Srinivasa Ayyangar.
28. ,, V. C. Vellingiri Gounder.
29. ,, Sami Venkatachalam Chettiyar.
30. ,, Venkatarama Ayyar alias Pantulu Ayyar.
31. ,, C. V. Venkataramana Ayyangar.
32. ,, B. Venkataratnam.
33. Rai Bahadur Sir K. Venkatareddi Nayudu.
34. Diwan Bahadur K. Suryanarayanamurti Nayudu Garu.
35. Rai Bahadur T. M. Narasimhacharlu.
36. Mr. Ghouse Mian Sahib.
37. ,, Qadir Mohidin Sahib.
38. ,, Abdul Wahab Sahib.
39. Khan Bahadur P. Khalifullah Sahib.

Noes.

1. The hon. Sir Arthur Knapp.
2. ,, Mr. C. P. Ramaswami Ayyar.
3. ,, the Raja of Panagal.
4. ,, Rao Bahadur Sir A. P. Patro.
5. ,, Diwan Bahadur T. N. Sivagnanam Pillai.
6. ,, Mr. R. A. Graham.
7. ,, ,, N. E. Marjoribanks.
8. Mr. R. W. Davies
9. ,, G. F. Paddison.
10. ,, E. W. Legh.
11. ,, P. L. Moore.
12. ,, T. R. Venkatarama Sastriyar.
13. ,, Abdulla Ghatala Sahib.
14. ,, S. Arpudaswami Udayar.
15. Rao Sahib T. C. Tangavelu Pillai.
16. Mr. J. A Davis.
17. ,, D. Appavu Chettiyar.
18. ,, H. B. Ari Gowder.
19. ,, A. V. Bhanoji Rao.
20. ,, N. Devendrudu.
21. Rao Bahadur Cruz Fernandez.
22. Rao Sahib P. V. Gopalan.
23. Mr. L. C. Guruswami.
24. Diwan Bahadur P. C. Ethirajulu Nayudu.
25. Mr. B. Mahabala Hegde.
26. ,, K. Raghuchandra Ballal.
27. ,, J. Kuppuswami.
28. ,, A. Ramaswami Mudaliyar.
29. ,, C. Muttayya Mudaliyar.
30. Hony.-Lieut. Madurai.
31. Mr. K. S. Ponnuswami Pillai.
32. ,, G. Premayya.
33. Rao Bahadur K. Krishnaswami Nayudu.
34. Mr. P. S. Rajappa.
35. ,, B. Obalesappa.
36. Rao Bahadur P. Raman.
37. Mr. J. D. Samuel.
38. ,, K. Sarabha Reddi.
39. ,, K. Sitarama Reddi.
40. ,, R. Srinivasan.
41. ,, P. V. S Sundaramurti.
42. Diwan Bahadur W. Vijayaraghava Mudaliyar.

Neutral.

1. Mr. B. Ramachandra Reddi.
2. Diwan Bahadur P. Kesava Pillai.
3. Mr. K. Sarvarayudu.
4. ,, R. Veerian.

39 members voted *for* the motion, 42 *against*, and 4 stood *neutral*. The motion was lost.